

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL CURRAN,  
Plaintiff,

v.

CITY OF PHILADELPHIA,  
JOHN/JANE DOE #1-10, Individually and  
as Police Officers for the City of  
Philadelphia,  
Defendants.

CIVIL ACTION

NO. 20-3298

**ORDER**

AND NOW, this 12th day of November, 2020, upon consideration of Defendant City of Philadelphia's Second Motion to Dismiss (Document No. 7, filed September 22, 2020) and Plaintiff's Response to Defendants' Second Motion to Dismiss (Document No. 10, filed October 26, 2020), for the reasons stated in the accompanying Memorandum dated November 12, 2020, **IT IS ORDERED** that Defendant City of Philadelphia's Second Motion to Dismiss is **DENIED IN PART** and **GRANTED IN PART**. The Motion is **DENIED** to the extent that it seeks dismissal of plaintiff's failure to train claim. The Motion is **GRANTED WITHOUT PREJUDICE** to the extent it seeks dismissal of plaintiff's failure to supervise or discipline claim. In the event plaintiff is able to identify the officers he claims were improperly supervised or disciplined and seeks to amend the Amended Complaint, he may petition the Court for leave to file a second amended complaint if warranted by the facts and applicable law as stated in the accompanying Memorandum.

**IT IS FURTHER ORDERED** that a preliminary pretrial conference will be scheduled in due course.

**BY THE COURT:**

/s/ Hon. Jan E. DuBois

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DuBOIS, JAN E., J.